

Attorney's Docket No.: 13325-002001

**OFFICIAL COMMUNICATION FACSIMILE
FOR THE PERSONAL ATTENTION OF
THE OFFICE OF PETITIONS**

FAX NO: 703-308-6916

Number of pages including this page *12*

FAX RECEIVED

FEB 24 2003

Applicant : Philip Pricstly Ashton et al.

Art Unit :

PETITIONS OFFICE

Serial No. : 10/080,846

Examiner :

Filed : February 22, 2002

FACSIMILE COMMUNICATION

Title : EVALUATING AN ORGANIZATION'S LEVEL OF SELF REPORTING

Commissioner for Patents
Washington, D.C. 20231

Attention: Office of Petitions

Attached to this facsimile communication cover sheet is a Reply to Decision Refusing Status Under 37 CFR 1.47(a), accompanied by Exhibits A, B, and C, faxed this 24th day of February, 2003, to the Office of Petions, the United States Patent and Trademark Office.

Respectfully submitted,


Samuel Borodach
Samuel Borodach
Reg. No. 38,388

Date: February 24, 2003

Fish & Richardson P.C.
45 Rockefeller Plaza, Suite 2800
New York, New York 10111
Telephone: (212) 765-5070
Fax: (212) 258-2291

30136614.doc

NOTE: This facsimile is intended for the addressee only and may contain privileged or confidential information. If you have received this facsimile in error, please immediately call us collect at (212) 765-5070 to arrange for its return. Thank you.

Attorney's Docket No.: 13325-002001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Philip Priestly Ashton et al.
Serial No. : 10/080,846

Art Unit : Unknown
Examiner : Unknown

Filed : February 22, 2002

Title : EVALUATING AN ORGANIZATION'S LEVEL OF SELF REPORTING

FAX RECEIVED

Attention: Office of Petitions

Commissioner for Patents
Washington, D.C. 20231

FEB 24 2003

PETITIONS OFFICE

REPLY TO DECISION REFUSING STATUS UNDER 37 CFR 1.47(a)

A Petition Under 37 C.F.R. 1.47(a) was filed in October 2002. On December 23, 2002, the PTO mailed a Decision Refusing Status Under 37 CFR 1.47(a). This reply is in response to that decision.

As required by the PTO, the undersigned attorney mailed a letter to the nonsigning inventor, Ms. Annette Watson, on January 10, 2003 at the following address, which, at the time, was her last known residence: 241 Beaconsfield Parade, Middle Park, Victoria 3206, Australia. Enclosed with the January 10, 2003 letter were copies of the patent application papers as filed in the U.S. Patent and Trademark Office, including the specification, the claims and the drawings. A Combined Declaration and Power of Attorney was enclosed as well. A copy of the January 10, 2003, letter, which was mailed by Federal Express, is enclosed as Exhibit A.

The Federal Express package containing the January 10, 2003 letter was returned to the undersigning attorney with an indication that the address identified above was no longer the correct address for Ms. Watson. A copy of the returned Federal Express package is enclosed as Exhibit B.

The undersigned attorney subsequently was informed that Ms. Watson's new residence was 55 St. Vincent Place, Albert Park, Victoria 3206, Australia. The undersigned attorney

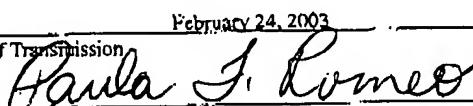
CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

February 24, 2003

Date of Transmission

Signature



Paula T. Romeo

Typed or Printed Name of Person Signing Certificate

Applicant : Philip Priestly Ashton et al.
Serial No. : 10/080,846
Filed : February 22, 2002
Page : 2

Attorney's Docket No.: 13325-002001

mailed another letter to Ms. Watson on January 24, 2003. Enclosed with the January 24, 2003 letter were copies of the patent application papers as filed in the U.S. Patent and Trademark Office, including the specification, the claims and the drawings. A Combined Declaration and Power of Attorney was enclosed as well. A copy of the January 24, 2003, letter, which was mailed by Federal Express, is enclosed as Exhibit C.

During a subsequent telephone call by the undersigned attorney to Federal Express, the undersigned attorney was informed that Ms. Watson had requested that the January 24, 2003 package be delivered to her at her place of employment: Ernst & Young, Level 14, 360 Elizabeth St., Melbourne, Australia. Federal Express has confirmed that the package was delivered as requested by Ms. Watson on February 4, 2003 at about 12:00 p.m.

The undersigned attorney has made several attempts during the past two weeks to reach Ms. Watson by telephone at Ernst & Young to confirm her receipt of the application papers and to inquire whether she believes she was correctly listed as an inventor and whether she intends to sign the declaration. In addition to attempting to contact Ms. Watson on her direct telephone line (61 3 8650 7255) at Ernst & Young, a message was left with Ms. Watson's secretary (61 3 9288 8383) requesting that Ms. Watson contact the undersigned attorney by telephone, mail or email.

To date, the undersigned attorney has not received any correspondence, telephone calls or other communications from Ms. Watson.

In view of the original petition filed in October 2002 and in further view of the additional foregoing efforts to provide Ms. Watson with the application papers and obtain her signature on the declaration, the PTO respectfully is requested to reconsider its initial decision and is requested to grant this application status under 37 C.F.R. 1.47.

Applicant : Philip Priestly Ashton et al.
Serial No. : 10/080,846
Filed : February 22, 2002
Page : 3

Attorney's Docket No.: 13325-002001

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 2-24-2003


Samuel Borodach
Reg. No. 38,388

Fish & Richardson P.C.
45 Rockefeller Plaza, Suite 2800
New York, New York 10111
Telephone: (212) 765-5070
Facsimile: (212) 258-2291

30136536.doc

EXHIBIT A

FISH & RICHARDSON P.C.

Frederick P. Fish
1855-1930

W.K. Richardson
1859-1951

BY FEDERAL EXPRESS

January 10, 2003

Ms. Annette Watson
241 Beaconsfield Parade
Middle Park
Victoria 3206
Australia

45 Rockefeller Plaza
Suite 2800
New York, New York
10111

Telephone
212 765-5070

Faximile
212 258-2291

Web Site
www.fr.com

FAX RECEIVED

FEB 24 2003

PETITIONS OFFICE

Re: U.S. Patent Application No. 10/080,846.

Filing Date: February 22, 2002

Title: EVALUATING AN ORGANIZATION'S LEVEL OF SELF REPORTING

Applicants: JANICE LINGWOOD, PAUL EVANS, ANDREW CANTOS,

ANNETTE WATSON and PHILIP ASHTON

Our Ref.: 13325-002001



BOSTON
DALLAS
DELAWARE
NEW YORK
SAN DIEGO
SILICON VALLEY
TWIN CITIES
WASHINGTON, DC

Dear Ms Watson:

I am a patent attorney representing PricewaterhouseCoopers (PwC) in connection with the U.S. patent application identified above. As I believe you may be aware, you were identified as one of the persons who worked on this project during your employment with PwC, and you were listed as an inventor when the application was filed with the U.S. Patent and Trademark Office (PTO).

As required by the U.S. PTO, please find enclosed a copy of the entire application, including the specification, the claims and the drawings as filed with the PTO. I also enclose a Combined Declaration and Power of Attorney as well as an Assignment, both of which previously were signed by the other named inventors.

Kindly review the enclosed documents and, if you believe you are properly named as an inventor with respect to the enclosed patent application, kindly sign and date the Combined Declaration and Power of Attorney on page 3 and return the signed copy to me at the address listed above (or by facsimile). If you do not believe that you are properly named as an inventor, or if you cannot sign the Combined Declaration and Power of Attorney for any other reason, I would appreciate your letting me know as soon as possible. In addition to the contact information listed above, I can be reached by email at Borodach@fr.com.

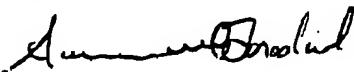
I would also appreciate your returning to me a signed (and dated) copy of the enclosed Assignment, as required by the terms of your employment with PwC.

FISH & RICHARDSON P.C.

Ms. Annette Watson
January 10, 2003
Page 2

Thank you for your assistance and cooperation.

Very truly yours,



Samuel Borodach

Enclosures

30130564.doc

EXHIBIT B

FISH & RICHARDSON P.C.

Frederick P. Fish
1855-1935

W.K. Richardson
1859-1951

BY FEDERAL EXPRESS

January 24, 2003

Ms. Annette Watson
55 St. Vincent Place
Albert Park
Victoria 3206
AUSTRALIA

45 Rockefeller Plaza
Suite 2800
New York, New York
10111

Telephone
212 765-5070

Faximile
212 258-2291

Web Site
www.fr.com

FAX RECEIVED

FEB 24 2003

PETITIONS OFFICE

Re: U.S. Patent Application No. 10/080,846

Filing Date: February 22, 2002

Title: EVALUATING AN ORGANIZATION'S LEVEL OF SELF REPORTING

Applicants: JANICE LINGWOOD, PAUL EVANS, ANDREW CANTOS,
ANNETTE WATSON and PHILIP ASHTON

Our Ref.: 13325-002001

FR

BOSTON

DALLAS

DELAWARE

NEW YORK

SAN DIEGO

SILICON VALLEY

TWIN CITIES

WASHINGTON, DC

Dear Ms Watson:

I am a patent attorney representing PricewaterhouseCoopers (PwC) in connection with the U.S. patent application identified above. As I believe you may be aware, you were identified as one of the persons who worked on this project during your employment with PwC, and you were listed as an inventor when the application was filed with the U.S. Patent and Trademark Office (PTO).

As required by the U.S. PTO, please find enclosed a copy of the entire application, including the specification, the claims and the drawings as filed with the PTO. I also enclose a Combined Declaration and Power of Attorney as well as an Assignment, both of which previously were signed by the other named inventors.

Kindly review the enclosed documents and, if you believe you are properly named as an inventor with respect to the enclosed patent application, kindly sign and date the Combined Declaration and Power of Attorney on page 3 and return the signed copy to me at the address listed above (or by facsimile). If you do not believe that you are properly named as an inventor, or if you cannot sign the Combined Declaration and Power of Attorney for any other reason, I would appreciate your letting me know as soon as possible. In addition to the contact information listed above, I can be reached by email at Borodach@fr.com.

I would also appreciate your returning to me a signed (and dated) copy of the enclosed Assignment, as required by the terms of your employment with PwC.

FISH & RICHARDSON P.C.

Ms. Annette Watson
January 24, 2003
Page 2

Thank you for your assistance and cooperation.

Very truly yours,



Samuel Borodach

Enclosures

30132539.doc

EXHIBIT C

~~INTL ECONOMY~~~~FedEx.~~

emp# 110344 10/1/03

TRK# 7906 7435 6864 FORM 0438

~~SYD~~~~S6 MELA~~Pkg Trk#: 790674356864
WRG ADDR
15JAN 11:15
Pcs: 1
Emp#: 263885
Rt#: 345Pkg Trk#: 790674356864
WRG ADDR
16JAN 13:15
Pcs: 1
Emp#: 263885
Rt#: 345Pkg Trk#: 790674356864
WRG ADDR
15JAN 11:15
Pcs: 1
Emp#: 263885
Rt#: 345FISH & RICHARDSON PC
45 ROCKEFELLER PLAZA SUITE 2800NEW YORK
NY 10111 (US)Insert
airbill
hereTo: Ms. Annette Wilson 2127655070
241 Beaconsfield Parade
Middle Park
Victoria 3206 AUSTRALIA (AU)Country Mgr.
Legal DocumentsNDA 30.55(h)
IRSH
SHIP
WEIG11:11 14-Jan-2003
EMP# 474487
BILL T/C: S 1
BILL D/T: S 1
C-ENTRV REQUIRERef: 13325-002001
Signature: Samuel Borodach~~SYD~~
~~S6 MELA~~FAX RECEIVED
FEB 24 2003
PETITIONS OFFICE

Page 1 of 1